

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**ENTRY NO. 00139868**

06/19/2008 02:14:16 PM B: 0352 P: 0101

Easements and Right of Ways PAGE 1 / 13

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of “the right of way for the construction of highways over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Kane County as it pertains to the highway located in Kane County known as Paria Cemetery Loop Road; County Road Number: K4245; State Geographic Information Database (SGID) Road Identification Number: RD130602. Total road length is 0.09 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as “Attachment 3,” and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as “Attachment 4.” The Appendices listed in “Attachment 4” that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as “Attachment 5.”

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 12<sup>th</sup> day of June, 2008.

By the Governor's Designee

  
\_\_\_\_\_  
John Harja


### CERTIFICATION

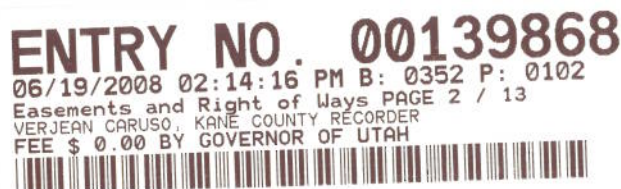
State of Utah                     )  
   : ss  
County of Salt Lake            )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 12<sup>th</sup> day of June, 2008.



  
\_\_\_\_\_  
Notary Public





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13

T41S R2W

EP-130602007  
EP-130602006

18  
T41S R1W

19

24

**Paria Cemetary Loop Road - Kane County**  
**SGID RD\_ID RD130602**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

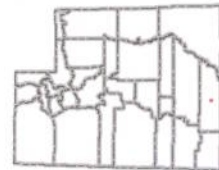
- Wilderness
- UDWR Wildlife Reserve
- DOD, Military
- State Sovereign Land
- National Recreation Area
- USFWS, Natl. Wildlife Refuge

**Transportation Network**

- Paria Cemetary Loop Road
- Other Roads
- Title V: Issued Or Under Consideration By BLM
- County
- Photo Event Point
- Section = 1 Mile



1:10,275  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Jun 10, 2008





EP130602006



EP130602007

EP000000000

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VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



**Paria Cemetary Loop Road- Kane County**  
**SGID RD\_ID RD130602**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 10, 2008



## Attachment 3

### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name:** Paria Cemetary Loop Road

**County:** Kane

**County Road Number:** K4245

**State Geographic Information Database (SGID) Road Identification Number:** RD130602.

**Total Road Length:** 0.09 miles more or less.

**Beginning at a point** on the road centerline located at 37 degrees 14 minutes 034.4 seconds North Latitude and -111 degrees 57 minutes 25.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,507,340.3 feet and Y = 10,052,638.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 14 minutes 035.8 seconds North Latitude and -111 degrees 57 minutes 24.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,507,411.1 feet and Y = 10,052,779.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 41 South Range 1 West, Section(s) 18, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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VERJEAN CARUSO, KANE COUNTY RECORDER

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**Attachment 4**  
**Road Centerline Description Cover Page(s)**

**Popular Name: Paria Cemetary Loop Road**

**County: Kane**

**County Road Number: K4245**

**State Geographic Information Database (SGID) Road Identification Number: RD130602.**

**Total Road Length: 0.09 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD130602</b>	<b>001</b>	<b>BLM</b>	<b>0.09 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.09</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

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VERJEAN CARUSO, KANE COUNTY RECORDER

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## Attachment 5

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VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH




**AFFIDAVIT OF BRENT OWENS**  
**PARIA CEMETARY LOOP ROAD**  
**COUNTY ROAD NUMBER K4245**  
**KANE COUNTY, UTAH**

State of Utah                     )  
  :ss  
County of Kane                 )

BRENT OWENS, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Kane County for 36 years. I was born April 2, 1946.
2. I have traveled and am familiar with a road in Kane County known as the Paria Cemetery Loop Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1964, it followed the same route as in 2007 when I last observed it. Attached is a Kane County map showing the Paria Cemetery Loop Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1964 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars trucks motor homes, maintenance vehicles, jeeps and ATVs.

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Throughout this time period, the road has been used daily, for more than ten continuous years prior to 1976, and continuing through 2007.

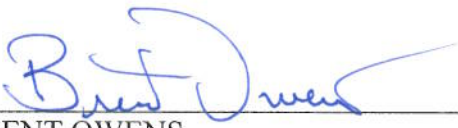
4. Throughout the time period from 1964 to 2007, I have used the road myself for hunting, BLM access, camping, livestock operations and traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus movie set access, tourism, wood gathering, recreation, prospecting for minerals and government access.

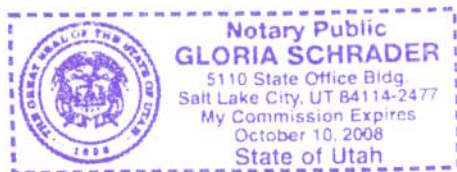
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed graders performing maintenance and construction activities on the road.


Dated this 16 day of May, 2007.

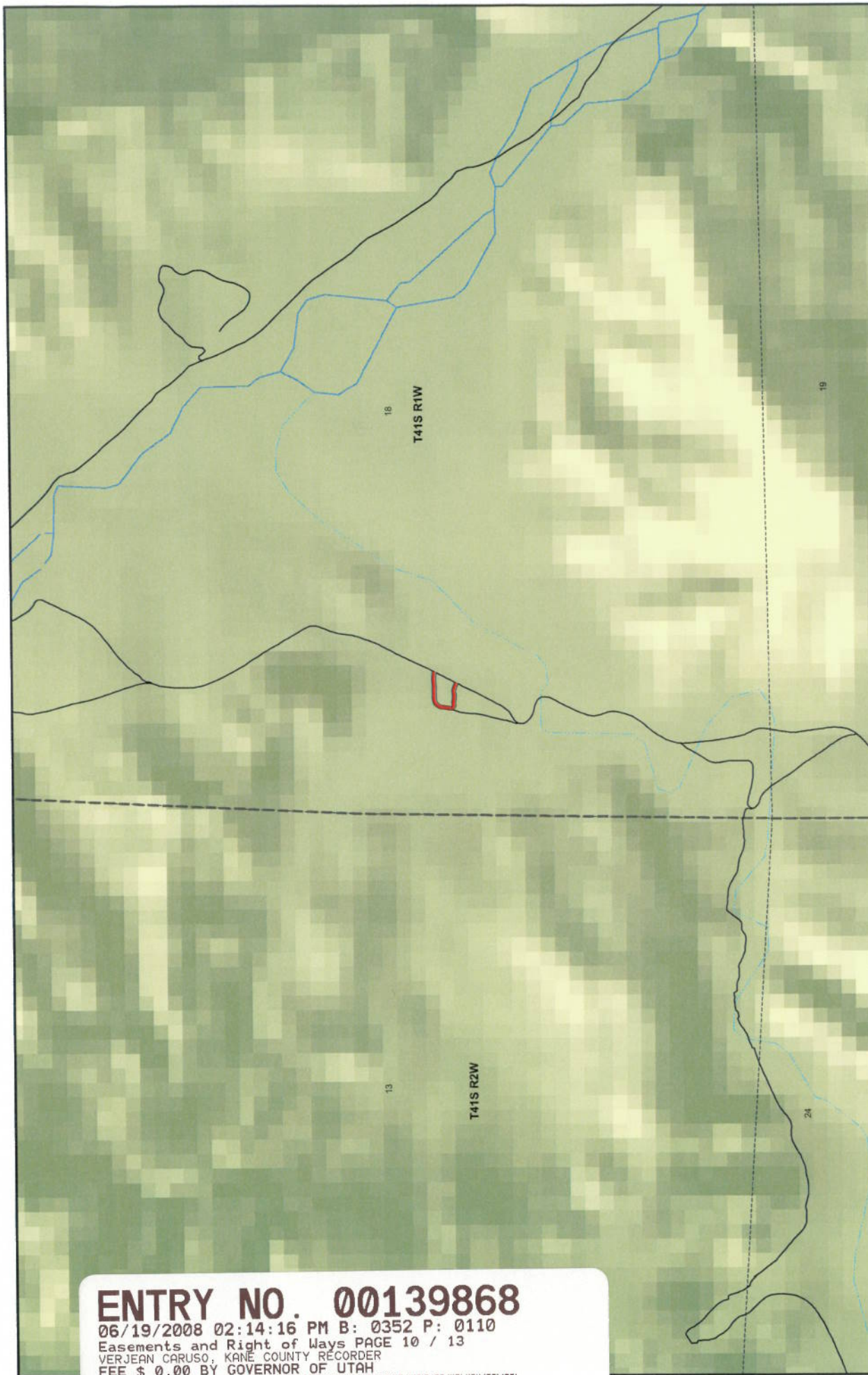
  
BRENT OWENS

SUBSCRIBED AND SWORN to before me this 16<sup>th</sup> day of May, 2007.



  
NOTARY PUBLIC

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1:9,795  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5100 State Office Building  
Salt Lake City, Utah 84114  
May 07, 2007



### Paria Cemetery Loop Road

#### County Unique - K4245

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- National Park/Monument (NPS)

**Misc**

- Wildlife Reserve
- National Rec. Area
- Wilderness
- State Park

**Transportation Network**

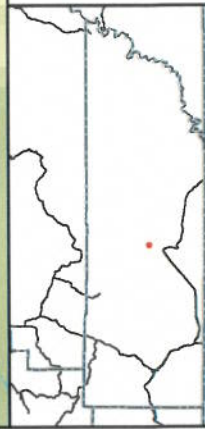
- Paria Cemetery Loop Road
- State / U.S. Highway
- Local Roads

City / Town

Municipalities

Section = 1 Mile

Monument Boundary



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VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH





**AFFIDAVIT OF VANE CAMPBELL**

**PARIA CEMETARY LOOP ROAD**

**COUNTY ROAD NUMBER K4245**

**KANE COUNTY, UTAH**

State of Utah                     )  
  :SS  
County of Kane                 )

VANE CAMPBELL, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I was born January 4, 1930, in Circleville, UT and moved to Alton, Kane County, Utah when I was two years old and have lived in Alton for the past 74 years. I started to work for the Kane County Road Department in 1967. I left the county in 1970 for other employment and returned to the county road department in 1972 and was made Superintendent of the Kane County Road Department in 1974. I worked for the road department until I retired in 1992.

2. I have traveled and am familiar with a road in Kane County known as the Paria Cemetary Loop Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1967, it followed the same route as in 1992 when I last observed it. Attached is a Kane County map showing the Paria Cemetary Loop Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1967 and continuing through 1976

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VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH





to 1992. Throughout this time period I have observed travel on the road by various means, including Kane County road maintenance vehicles, cars, four wheel drive vehicles, ATVs and trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976.

4. Throughout the time period from the early 1967 to 1992, I have used the road myself for performing maintenance on the road and/or traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus ranching, tourism, recreation, hiking, rock hounding, livestock operations.

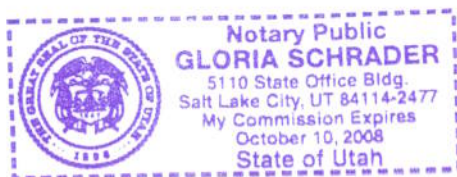
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present.

7. Prior to 1976, I personally performed maintenance and construction activities on the road.

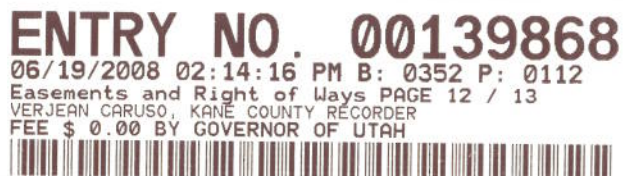
Dated this 15 day of May, 2007.

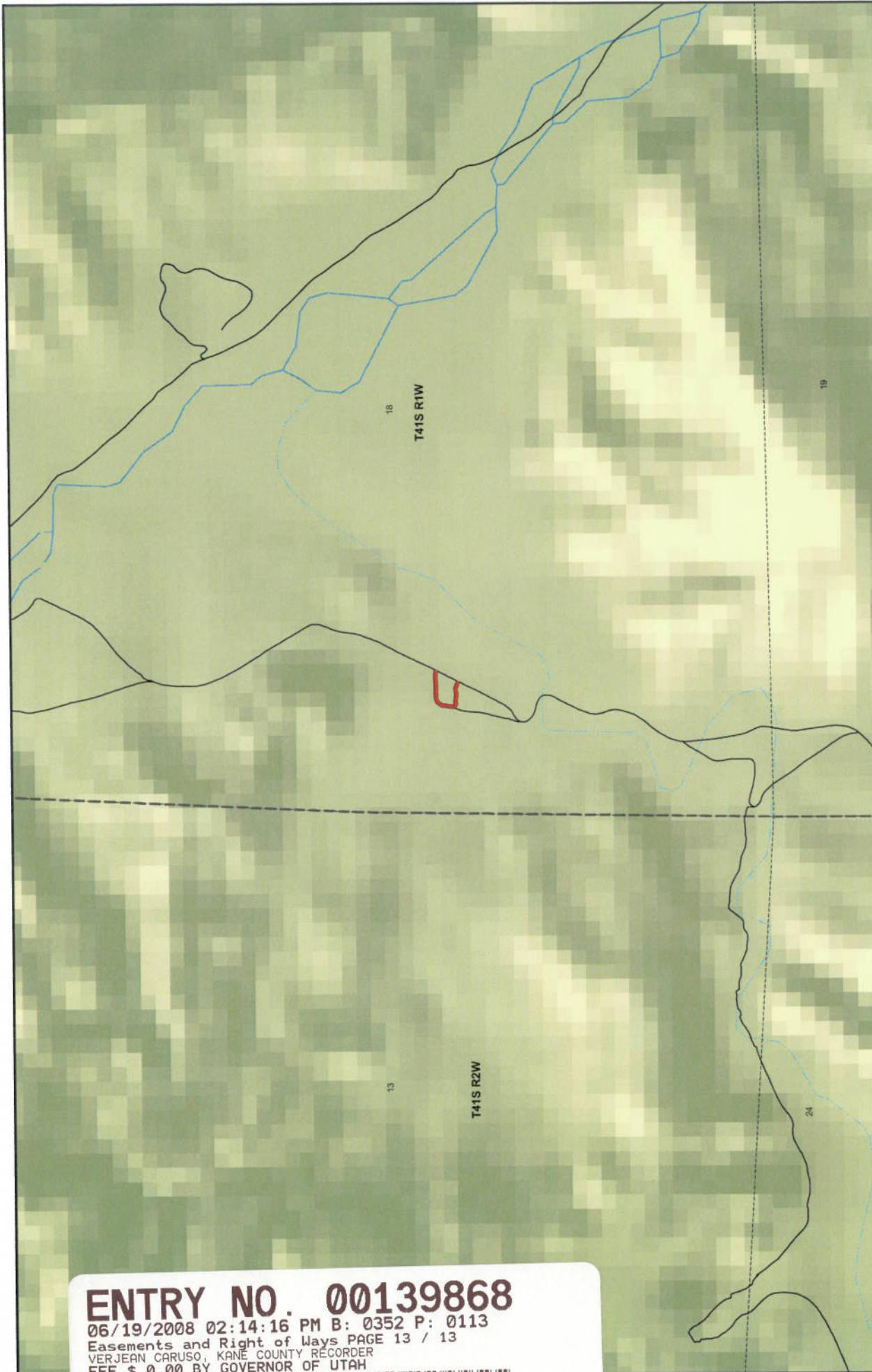
Vane Campbell  
VANE CAMPBELL

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of May, 2007.



Gloria Schrader  
NOTARY PUBLIC







1:9,795  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
AGRC Automated Geographic Reference Center  
Room 5190, 2nd Floor, Office Building  
Salt Lake City, Utah 84114  
May 07, 2007

### Paria Cemetery Loop Road County Unique - K4245

#### Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- National Park/Monument (NPS)

#### Misc

- Wildlife Reserve
- National Rec. Area
- Wilderness
- State Park

#### Transportation Network


- Paria Cemetery Loop Road
- State / U.S. Highway
- Local Roads

#### City / Town

- Municipalities
- Section = 1 Mile
- Monument Boundary



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 VERJEAN CARUSO, KANE COUNTY RECORDER  
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## Appendix A to Attachment 4

**Popular Name: Paria Cemetary Loop Road**

**County: Kane**

**County Road Number: K4245**

**State Geographic Information Database (SGID) Road Identification Number: RD130602.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.09 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 41 South Range 1 West, Section(s) 18, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Paria Cemetary Loop Road)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 37 degrees 14 minutes 034.4 seconds North Latitude and -111 degrees 57 minutes 25.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,507,340.3 feet and Y = 10,052,638.3 feet; thence the following courses along the said road center line:

thence North 62 Degrees 21 Minutes 11 Seconds West 14 feet  
thence North 68 Degrees 57 Minutes 44 Seconds West 11.3 feet  
thence North 72 Degrees 34 Minutes 13 Seconds West 13.5 feet  
thence North 76 Degrees 56 Minutes 14 Seconds West 14.2 feet  
thence South 82 Degrees 00 Minutes 46 Seconds West 30.7 feet  
thence North 83 Degrees 29 Minutes 39 Seconds West 13.8 feet  
thence North 86 Degrees 36 Minutes 11 Seconds West 12.7 feet  
thence North 86 Degrees 16 Minutes 55 Seconds West 11.7 feet  
thence South 89 Degrees 42 Minutes 02 Seconds West 10.4 feet  
thence South 84 Degrees 56 Minutes 13 Seconds West 9.9 feet  
thence North 73 Degrees 47 Minutes 13 Seconds West 8.7 feet



thence North 57 Degrees 54 Minutes 12 Seconds West 7.7 feet  
 thence North 34 Degrees 17 Minutes 25 Seconds West 6.9 feet  
 thence North 09 Degrees 23 Minutes 22 Seconds West 6.6 feet  
 thence North 12 Degrees 32 Minutes 40 Seconds East 8.4 feet  
 thence North 11 Degrees 40 Minutes 13 Seconds East 8.4 feet  
 thence North 06 Degrees 43 Minutes 54 Seconds East 9.9 feet  
 thence North 06 Degrees 21 Minutes 18 Seconds East 9.9 feet  
 thence North 07 Degrees 14 Minutes 15 Seconds East 10.8 feet  
 thence North 08 Degrees 57 Minutes 02 Seconds East 11.6 feet  
 thence North 14 Degrees 41 Minutes 13 Seconds East 11 feet  
 thence North 23 Degrees 09 Minutes 15 Seconds East 11.6 feet  
 thence North 36 Degrees 12 Minutes 08 Seconds East 12.2 feet  
 thence North 53 Degrees 54 Minutes 12 Seconds East 12.6 feet  
 thence North 65 Degrees 25 Minutes 26 Seconds East 14 feet  
 thence North 80 Degrees 14 Minutes 18 Seconds East 15 feet  
 thence North 86 Degrees 45 Minutes 43 Seconds East 16 feet  
 thence North 86 Degrees 54 Minutes 38 Seconds East 16.9 feet  
 thence North 89 Degrees 42 Minutes 02 Seconds East 17.5 feet  
 thence North 89 Degrees 42 Minutes 02 Seconds East 18.3 feet  
 thence North 89 Degrees 42 Minutes 02 Seconds East 18.7 feet  
 thence North 87 Degrees 05 Minutes 53 Seconds East 18.1 feet  
 thence North 89 Degrees 42 Minutes 02 Seconds East 17.1 feet  
 thence North 89 Degrees 42 Minutes 02 Seconds East 15.7 feet  
 thence South 84 Degrees 15 Minutes 08 Seconds East 15.6 feet  
 thence North 89 Degrees 42 Minutes 02 Seconds East 14 feet more or less to **the ending point**

**at:** 37 degrees 14 minutes 035.8 seconds North Latitude and -111 degrees 57 minutes 24.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,507,411.1 feet and Y = 10,052,779.8 feet.